



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB4975

by Rep. Sam Yingling

#### SYNOPSIS AS INTRODUCED:

See Index

Creates the Township Modernization and Consolidation Act. Provides that all townships in a county may be dissolved by referendum, through either citizen petition or county board ordinance. Provides for petition, ordinance, and notice requirements. Provides for transfer of property, assets, personnel, contractual obligations, liabilities, tax levies, records, and rights and duties from the township to county. Further provides for procedures the county board may employ if a township has outstanding debt on the date of dissolution of the township. Amends the Township Code. Abolishes of office of township collector and transfers all powers and duties to the county collector. Provides that counties who dissolve all townships may retain their current form of governance (currently, required to form a commission form). Further provides that all townships within a coterminous municipality may dissolve (currently, only selected townships may). Amends the Election Code, Public Funds Statement Publication Act, the Property Tax Code, Mobile Home Local Services Tax Enforcement Act, and Counties Code making conforming changes.

LRB099 18676 AWJ 43059 b

FISCAL NOTE ACT  
MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT NOTE ACT  
MAY APPLY

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Township Modernization and Consolidation Act.

6 Section 5. Scope. The method of dissolution of townships  
7 under this Act shall be in addition to any other method of  
8 dissolving a township provided by law or otherwise.

9 Section 10. Definitions. As used in this Act:

10 "Date of dissolution" shall mean the day after the earliest  
11 expiring term ends of a township supervisor, clerk, assessor,  
12 or trustee of each dissolving township after a referendum has  
13 been approved under Section 30 of this Act or 90 days after the  
14 date of the election at which the referendum is approved,  
15 whichever is later.

16 "Dissolving townships" means the townships proposed to be  
17 dissolved by referendum under this Act.

18 "Electors" means the registered voters of the receiving  
19 county.

20 "Receiving county" means the county receiving the rights,  
21 duties, and liabilities of the dissolving townships.

1 Section 15. Petition requirements; notice.

2 (a) Subject to the petition requirements of Section 28-3 of  
3 the Election Code, petitions for a referendum to dissolve all  
4 townships in a county must be filed with the governing board of  
5 each of the dissolving townships and the county board of the  
6 receiving county not less than 122 days prior to a general  
7 election. Petitions must include:

8 (1) the names of all townships in the county;

9 (2) the receiving county;

10 (3) the date of dissolution of each township affected;

11 (4) signatures of a number of electors equal to or  
12 greater than 5% of the total votes cast in the preceding  
13 general election in the receiving county; and

14 (5) an affidavit of publication, attesting that notice  
15 of the petition to dissolve all townships was published in  
16 a newspaper of general circulation within the territory of  
17 all dissolving townships and the county at least 122 days  
18 and no more than 152 days prior to the general election at  
19 which the referendum is to be voted upon.

20 (b) The dates of dissolution shall be at least 90 days  
21 after the date of the election at which the referendum is to be  
22 voted upon.

23 (c) The parties filing a petition under this Section shall  
24 give notice in substantially the following form:

25 NOTICE OF PETITION TO DISSOLVE ALL TOWNSHIPS IN ....

1 COUNTY.

2 Residents of .... County are notified that a petition will  
3 be filed with all townships and the .... County board  
4 requesting a referendum to dissolve all townships in ....  
5 County on [each date of dissolution, as applicable] with  
6 all real and personal property, and any other assets,  
7 together with all personnel, contractual obligations, and  
8 liabilities being transferred to .... County.

9 Section 20. Ordinance requirements; notice.

10 (a) A county board may pass an ordinance to dissolve all  
11 townships in the county by referendum at the next general  
12 election. The ordinance must be passed not less than 122 days  
13 prior to the general election in which the referendum will  
14 appear. The ordinance must include:

15 (1) the names of all townships in the county;

16 (2) the receiving county;

17 (3) the date of dissolution of each township affected;

18 and

19 (4) an affidavit of publication, attesting that notice  
20 of the ordinance to dissolve townships was published in a  
21 newspaper of general circulation within the territory of  
22 all dissolving townships and the county at least 122 days  
23 and no more than 152 days prior to the general election at  
24 which the referendum is to be voted upon.

25 (b) The dates of dissolution shall be at least 90 days

1 after the date of the election at which the referendum is to be  
2 voted upon.

3 (c) The county board passing an ordinance under this  
4 Section shall give notice in substantially the following form:

5 NOTICE OF ORDINANCE TO DISSOLVE ALL TOWNSHIPS IN ....  
6 COUNTY.

7 Residents of .... County are notified that an ordinance may  
8 be passed by the .... County board requesting a referendum  
9 to dissolve all townships in .... County on [each date of  
10 dissolution, as applicable] with all real and personal  
11 property, and any other assets, together with all  
12 personnel, contractual obligations, and liabilities being  
13 transferred to .... County.

14 Section 25. Ballot placement. A petition or ordinance that  
15 meets the requirements of Section 15 or 20 shall be placed on  
16 the ballot in the form provided for in Section 30 at the  
17 general election next following. Failure to publish the  
18 required notice of petition or ordinance shall render the  
19 petition or ordinance, and the results of any referendum held  
20 on the petition or ordinance, null and void.

21 Section 30. Referendum; voting.

22 (a) Subject to the requirements of Section 16-7 of the  
23 Election Code, the referendum described in Section 30 shall be

1 in substantially the following form on the ballot:

2 -----

3 Shall the townships  
4 of .... County be dissolved YES

5 on [each date of dissolution, as applicable]

6 with all of their property, -----

7 assets, personnel, obligations,  
8 and liabilities being NO

9 transferred to .... County?

10 -----

11 (b) The referendum is approved when a majority of the  
12 electors of the receiving county approve the referendum.

13 Section 35. Dissolution; transfer of rights and duties.  
14 When the dissolution of townships have been approved under  
15 Section 30:

16 (a) Except as otherwise provided for in this Act, on or  
17 before each date of dissolution, all real and personal  
18 property, and any other assets, together with all personnel,  
19 contractual obligations, and liabilities of each dissolving  
20 township shall be transferred to the receiving county.

21 (b) On or before each date of dissolution, each dissolving  
22 township shall transfer all records to the county clerk who  
23 shall thereafter be in control of such records.

24 (c) On its applicable date of dissolution, each dissolving  
25 township is dissolved.

1 (d) Except as otherwise provided for in this Act, on and  
2 after each date of dissolution, all rights and duties of the  
3 dissolved townships, including, but not limited to, the  
4 authority to tax (if any), may be exercised by the county board  
5 of the receiving county.

6 (e) On and after each date of dissolution, the county board  
7 of the receiving county may continue the levying of any general  
8 assistance tax still in effect which was issued by the township  
9 under subsection (c) of Section 235-20 of the Township Code by  
10 the dissolved townships as follows:

11 (1) The municipal portion of the general assistance tax  
12 shall be levied the same as before the dissolution of the  
13 township until the conclusion of the general assistance  
14 tax.

15 (2) The dissolved township's portion of the levy of the  
16 general assistance tax shall be redistributed between all  
17 taxpayers of the receiving county except those taxpayers  
18 under paragraph (1) of this subsection (e).

19 (f) If on the date of dissolution a township has  
20 outstanding bonds or any other financial indebtedness, the  
21 following shall apply:

22 (1) The receiving county's board may, on and after the  
23 date of dissolution, liquidate or transfer for fair market  
24 value the real and personal property, and other assets, of  
25 the former township in an amount no greater than the  
26 indebtedness.

1           (2) The county board may levy taxes, in an amount no  
2 greater than the indebtedness, as if the township remained  
3 in existence to pay any indebtedness. For purposes of  
4 levying taxes under this paragraph (2), the county clerk  
5 has the authority of the township clerk; the county  
6 assessor or county supervisor of assessments has the  
7 authority of the township assessor; the county board  
8 chairperson has the authority of the township supervisor;  
9 and the county board has the authority of the township  
10 board and the highway commissioner.

11           (g) On and after each date of dissolution, the supervisor  
12 of assessments or county assessor shall assume the duties of  
13 the township assessor. Any equipment and assets controlled by  
14 the township assessor shall be transferred to the supervisor of  
15 assessments or county assessor.

16           (h) On and after each date of dissolution, the county board  
17 chairperson shall assume the duties of the township highway  
18 commissioner and shall have jurisdiction over all areas that a  
19 township highway commissioner had jurisdiction. Additionally,  
20 the county board shall assume the duties of the township board  
21 of trustees and the county clerk shall assure the duties of the  
22 township clerk as it relates to the taxes levied by a highway  
23 commission.

24           (i) Notwithstanding any other provision of law, on and  
25 after all townships have been dissolved under this Act, the  
26 county board, or county commission if the county board chooses

1 to become a commission form of government under Section 25-25  
2 of the Township Code, may levy a general assistance tax and a  
3 tax issued by a highway commission as if the county board was  
4 organized under a township or commission form of government.  
5 This subsection (i) shall not give a county board or county  
6 commission the authority to issue two general assistance taxes  
7 (one under the township form of governance and one under a  
8 commission form of governance) or two highway commission taxes  
9 (one under the township form of governance and one under a  
10 commission form of governance). Any general assistance tax or  
11 highway commission tax imposed shall not be subject to any  
12 amount of indebtedness under paragraph (2) of subsection (f) of  
13 this Section.

14 Section 40. Expenses and contracts after referendum. After  
15 a referendum passes under Section 30 of this Act and before the  
16 date of dissolution of a township:

17 (a) A dissolving township, or any township official,  
18 division, or commission, may not enter into, renew, or extend  
19 any contracts that would extend beyond the date of dissolution  
20 of the township.

21 (b) A dissolving township, or any township official,  
22 division, or commission, may not enter into, renew, or extend  
23 any contracts, bonds, or other expenditures that would increase  
24 the indebtedness of the township to an amount greater than the  
25 amount of indebtedness on the date the referendum passed.

1 (c) A dissolving township shall not amend its budget to  
2 allow expenses greater than those allowed on the date the  
3 referendum passed.

4 (d) A dissolving township shall not enact any new taxes.

5 (e) Notwithstanding subsections (a), (b), and (c), the  
6 township board may approve contracts and expenses for emergency  
7 purposes to protect the life, health, safety of its residents  
8 and property.

9 Section 100. The Election Code is amended by changing  
10 Section 28-7 as follows:

11 (10 ILCS 5/28-7) (from Ch. 46, par. 28-7)

12 Sec. 28-7. Except as provided in the Township Modernization  
13 and Consolidation Act, in ~~in~~ any case in which Article VII or  
14 paragraph (a) of Section 5 of the Transition Schedule of the  
15 Constitution authorizes any action to be taken by or with  
16 respect to any unit of local government, as defined in Section  
17 1 of Article VII of the Constitution, by or subject to approval  
18 by referendum, any such public question shall be initiated in  
19 accordance with this Section.

20 Any such public question may be initiated by the governing  
21 body of the unit of local government by resolution or by the  
22 filing with the clerk or secretary of the governmental unit of  
23 a petition signed by a number of qualified electors equal to or  
24 greater than at least 8% of the total votes cast for candidates

1 for Governor in the preceding gubernatorial election,  
2 requesting the submission of the proposal for such action to  
3 the voters of the governmental unit at a regular election.

4 If the action to be taken requires a referendum involving 2  
5 or more units of local government, the proposal shall be  
6 submitted to the voters of such governmental units by the  
7 election authorities with jurisdiction over the territory of  
8 the governmental units. Such multi-unit proposals may be  
9 initiated by appropriate resolutions by the respective  
10 governing bodies or by petitions of the voters of the several  
11 governmental units filed with the respective clerks or  
12 secretaries.

13 This Section is intended to provide a method of submission  
14 to referendum in all cases of proposals for actions which are  
15 authorized by Article VII of the Constitution by or subject to  
16 approval by referendum and supersedes any conflicting  
17 statutory provisions except those contained in the County  
18 Executive Law, which is Division 2-5 of the Counties Code,  
19 "County Executive Act" or the Township Modernization and  
20 Consolidation Act.

21 Referenda provided for in this Section may not be held more  
22 than once in any 23-month period on the same proposition,  
23 provided that in any municipality a referendum to elect not to  
24 be a home rule unit may be held only once within any 47-month  
25 period.

26 (Source: P.A. 97-81, eff. 7-5-11.)

1 Section 105. The Public Funds Statement Publication Act is  
2 amended by changing Section 3a as follows:

3 (30 ILCS 15/3a) (from Ch. 102, par. 7a)

4 Sec. 3a. In counties having a population of less than  
5 500,000, if any such public officer in the discharge of his or  
6 her official duties, receives all or any part of his funds from  
7 the county collector, the county treasurer, or, prior to the  
8 effective date of this amendatory Act of the 99th General  
9 Assembly, the township collector, and if the county treasurer  
10 determines, by reviewing documents filed with the county clerk  
11 under Section 3 of this Act, that the public officer has failed  
12 to comply with Section 2 of this Act, then the county treasurer  
13 shall withhold the payment to that public official of any and  
14 all funds until the public official has complied with Section 2  
15 of this Act.

16 (Source: P.A. 95-367, eff. 8-23-07.)

17 Section 110. The Property Tax Code is amended by changing  
18 Section 3-70 and by adding Section 1-151 as follows:

19 (35 ILCS 200/1-151 new)

20 Sec. 1-151. Township collector. Any reference in this Code  
21 to "township collector" shall mean "county collector".

1 (35 ILCS 200/3-70)

2 Sec. 3-70. Cessation of Township Assessor.

3 (a) If the office of Township Assessor in a coterminous  
4 township ceases as provided in Articles 27 and 28 of the  
5 Township Code, then the coterminous municipality shall assume  
6 the duties of the Township Assessor under this Code.

7 (b) If a township dissolves as provided in Article 27 of  
8 the Township Code or in the Township Modernization and  
9 Consolidation Act, then the supervisor of assessments or county  
10 assessor, as applicable, shall assume the duties of the  
11 township assessor under this Code.

12 (Source: P.A. 98-127, eff. 8-2-13; 99-474, eff. 8-27-15.)

13 Section 115. The Mobile Home Local Services Tax Enforcement  
14 Act is amended by changing Section 320 as follows:

15 (35 ILCS 516/320)

16 Sec. 320. Partial redemption of forfeited mobile homes. In  
17 counties with less than 3,000,000 inhabitants, when forfeited  
18 taxes on a mobile home remain unpaid for one or more years, it  
19 is permissible to pay to the county ~~or township~~ collector, one  
20 or more full years of back or forfeited taxes, interest prior  
21 to forfeiture, statutory costs, printers' fees, and forfeiture  
22 interest or penalties, attaching thereto beginning with the  
23 earliest year for which the taxes are unpaid. In no case shall  
24 payment on account of a designated years' taxes be accepted

1 unless the sums due for prior years have first been paid or are  
2 tendered at the same time.

3 Any person seeking to make payments under this Section  
4 shall notify the county clerk of his or her intention in person  
5 or by agent or in writing. If notice is given while the  
6 collector has possession of the collector's books, the county  
7 clerk shall prepare an addendum to be presented to the  
8 collector and attached, by the collector, to the collector's  
9 books on which the description of the mobile home involved  
10 appears, which addendum shall become a part of the collector's  
11 books. If notice is given after the tax sale, but before  
12 receipt by the county collector of the current collector's  
13 books, the county clerk shall prepare an addendum and attach it  
14 to the Tax Judgment, Sale, Redemption, and Forfeiture record,  
15 on which the mobile home involved appears, which addendum shall  
16 become a part of that record.

17 The addendum shall show separately, for the year or years  
18 to be paid, (a) the amount of back or forfeited taxes, (b)  
19 interest prior to forfeiture, (c) statutory costs and printers'  
20 fees, and (d) forfeiture interest or penalties attaching  
21 thereto. The county clerk shall, at the same time, order the  
22 county or town collector to receive from the person the amount  
23 due on account of the taxes, for the year or years determined  
24 as provided above, of the back or forfeited taxes, interest  
25 prior to forfeiture, statutory costs, printers' fees, and  
26 forfeiture interest or penalties to date attaching to the back

1 or forfeited taxes.

2       Upon presentation of the order from the county clerk, and  
3 receipt of the addendum if the books are in the collector's  
4 possession, the collector shall receive the sum tendered on  
5 account of the taxes for the year or years designated, and make  
6 out duplicate receipts therefor. The receipts shall set forth a  
7 description of the mobile home, the year or years paid, and the  
8 total amount received. One copy of the receipt shall be given  
9 the person making payment and, when countersigned by the county  
10 clerk, shall be evidence of the payment therein set forth. The  
11 second copy shall be filed by the county clerk in his or her  
12 office.

13       If the collector's books are in the collector's possession,  
14 he or she shall enter the payment on the current collector's  
15 books or addendum, and he or she shall also enter any unpaid  
16 balance on the Tax Judgment, Sale, Redemption and Forfeiture  
17 record at the proper time.

18       After the tax sale and before receipt by the county  
19 collector of the current collector's books, the county clerk  
20 shall make a proper entry on the Tax Judgment, Sale, Redemption  
21 and Forfeiture record, and shall charge the county collector  
22 with the sum received. The county clerk shall also enter any  
23 unpaid balance on the county collector's books at the proper  
24 time.

25       The county collector shall distribute all sums received as  
26 required by law.

1 (Source: P.A. 92-807, eff. 1-1-03.)

2 Section 120. The Counties Code is amended by changing the  
3 heading of Article Div. 2-4 and Sections 2-4006, 5-1005, and  
4 5-32028 as follows:

5 (55 ILCS 5/Div. 2-4 heading)

6 Division 2-4. Counties not under Township Organization  
7 Organized as a Commission Form of Government

8 (55 ILCS 5/2-4006)

9 Sec. 2-4006. Terms of commissioners.

10 (a) In every county not under township organization that is  
11 organized as commission form of government having 3  
12 commissioners elected at large as described in subsection (b)  
13 or (c), the commissioners shall be elected as provided in this  
14 Section.

15 (b) In a county in which one commissioner was elected at  
16 the general election in 1992 to serve for a term of 4 years and  
17 in which 2 commissioners will be elected at the general  
18 election in 1994, the commissioner elected in 1994 and  
19 receiving the greatest number of votes shall serve for a term  
20 of 6 years. The other commissioner elected in 1994 shall serve  
21 for a term of 4 years. At the general election in 1996 and at  
22 each general election thereafter, one commissioner shall be  
23 elected to serve for a term of 6 years.

1 (c) In a county in which 2 commissioners were elected at  
2 the general election in 1992 to serve for terms of 4 years and  
3 in which one commissioner will be elected at the general  
4 election in 1994, the commissioner elected in 1994 shall serve  
5 for a term of 4 years. The commissioner elected in 1996 and  
6 receiving the greatest number of votes shall serve for a term  
7 of 6 years. The other commissioner elected in 1996 shall serve  
8 for a term of 4 years. At the general election in 1998 and at  
9 each general election thereafter, one commissioner shall be  
10 elected to serve for a term of 6 years.

11 (c-5) In Calhoun County, Edwards County, and Union County,  
12 the registered voters of the county may, upon referendum  
13 initiated by (i) the adoption of a resolution of the board of  
14 county commissioners or (ii) a petition signed by not less than  
15 10% of the registered voters in the county, determine that the  
16 board of county commissioners shall consist of 5 commissioners  
17 elected at large. The commissioners must certify the question  
18 to the proper election authority, which must submit the  
19 question at an election in accordance with the general election  
20 law.

21 The question shall be submitted in substantially the  
22 following form:

23 "Shall the board of county commissioners of (county)  
24 consist of 5 commissioners elected at large?"

25 Votes must be recorded as "Yes" or "No". If a majority of  
26 the electors voting on the question vote in the affirmative,

1 then a 5-member board of county commissioners shall be  
2 established beginning with the next general election. The  
3 County Clerk, in consultation with the State's Attorney for the  
4 county, shall develop and present to the board of county  
5 commissioners, to implement by the adoption of a resolution,  
6 the transition of terms for the current 3-member board of  
7 commissioners and the addition of 2 commissioners for 6-year  
8 terms. Thereafter, commissioners shall be elected at each  
9 general election to fill expired terms.

10 (d) The provisions of this Section do not apply to  
11 commissioners elected under Section 2-4006.5 of this Code.

12 (Source: P.A. 96-175, eff. 8-10-09.)

13 (55 ILCS 5/5-1005) (from Ch. 34, par. 5-1005)

14 Sec. 5-1005. Powers. Each county shall have power:

15 1. To purchase and hold the real and personal estate  
16 necessary for the uses of the county, and to purchase and  
17 hold, for the benefit of the county, real estate sold by  
18 virtue of judicial proceedings in which the county is  
19 plaintiff.

20 2. To sell and convey or lease any real or personal  
21 estate owned by the county.

22 3. To make all contracts and do all other acts in  
23 relation to the property and concerns of the county  
24 necessary to the exercise of its corporate powers.

25 4. To take all necessary measures and institute

1 proceedings to enforce all laws for the prevention of  
2 cruelty to animals.

3 5. To purchase and hold or lease real estate upon which  
4 may be erected and maintained buildings to be utilized for  
5 purposes of agricultural experiments and to purchase, hold  
6 and use personal property for the care and maintenance of  
7 such real estate in connection with such experimental  
8 purposes.

9 6. To cause to be erected, or otherwise provided,  
10 suitable buildings for, and maintain a county hospital and  
11 necessary branch hospitals and/or a county sheltered care  
12 home or county nursing home for the care of such sick,  
13 chronically ill or infirm persons as may by law be proper  
14 charges upon the county, or upon other governmental units,  
15 and to provide for the management of the same. The county  
16 board may establish rates to be paid by persons seeking  
17 care and treatment in such hospital or home in accordance  
18 with their financial ability to meet such charges, either  
19 personally or through a hospital plan or hospital  
20 insurance, and the rates to be paid by governmental units,  
21 including the State, for the care of sick, chronically ill  
22 or infirm persons admitted therein upon the request of such  
23 governmental units. Any hospital maintained by a county  
24 under this Section is authorized to provide any service and  
25 enter into any contract or other arrangement not prohibited  
26 for a hospital that is licensed under the Hospital

1           Licensing Act, incorporated under the General  
2           Not-For-Profit Corporation Act, and exempt from taxation  
3           under paragraph (3) of subsection (c) of Section 501 of the  
4           Internal Revenue Code.

5           7. To contribute such sums of money toward erecting,  
6           building, maintaining, and supporting any non-sectarian  
7           public hospital located within its limits as the county  
8           board of the county shall deem proper.

9           8. To purchase and hold real estate for the  
10          preservation of forests, prairies and other natural areas  
11          and to maintain and regulate the use thereof.

12          9. To purchase and hold real estate for the purpose of  
13          preserving historical spots in the county, to restore,  
14          maintain and regulate the use thereof and to donate any  
15          historical spot to the State.

16          10. To appropriate funds from the county treasury to be  
17          used in any manner to be determined by the board for the  
18          suppression, eradication and control of tuberculosis among  
19          domestic cattle in such county.

20          11. To take all necessary measures to prevent forest  
21          fires and encourage the maintenance and planting of trees  
22          and the preservation of forests.

23          12. To authorize the closing on Saturday mornings of  
24          all offices of all county officers at the county seat of  
25          each county, and to otherwise regulate and fix the days and  
26          the hours of opening and closing of such offices, except

1           when the days and the hours of opening and closing of the  
2           office of any county officer are otherwise fixed by law;  
3           but the power herein conferred shall not apply to the  
4           office of State's Attorney and the offices of judges and  
5           clerks of courts and, in counties of 500,000 or more  
6           population, the offices of county clerk.

7           13. To provide for the conservation, preservation and  
8           propagation of insectivorous birds through the expenditure  
9           of funds provided for such purpose.

10          14. To appropriate funds from the county treasury and  
11          expend the same for care and treatment of tuberculosis  
12          residents.

13          15. In counties having less than 1,000,000  
14          inhabitants, to take all necessary or proper steps for the  
15          extermination of mosquitoes, flies or other insects within  
16          the county.

17          16. To install an adequate system of accounts and  
18          financial records in the offices and divisions of the  
19          county, suitable to the needs of the office and in  
20          accordance with generally accepted principles of  
21          accounting for governmental bodies, which system may  
22          include such reports as the county board may determine.

23          17. To purchase and hold real estate for the  
24          construction and maintenance of motor vehicle parking  
25          facilities for persons using county buildings, but the  
26          purchase and use of such real estate shall not be for

1 revenue producing purposes.

2 18. To acquire and hold title to real property located  
3 within the county, or partly within and partly outside the  
4 county by dedication, purchase, gift, legacy or lease, for  
5 park and recreational purposes and to charge reasonable  
6 fees for the use of or admission to any such park or  
7 recreational area and to provide police protection for such  
8 park or recreational area. Personnel employed to provide  
9 such police protection shall be conservators of the peace  
10 within such park or recreational area and shall have power  
11 to make arrests on view of the offense or upon warrants for  
12 violation of any of the ordinances governing such park or  
13 recreational area or for any breach of the peace in the  
14 same manner as the police in municipalities organized and  
15 existing under the general laws of the State. All such real  
16 property outside the county shall be contiguous to the  
17 county and within the boundaries of the State of Illinois.

18 19. To appropriate funds from the county treasury to be  
19 used to provide supportive social services designed to  
20 prevent the unnecessary institutionalization of elderly  
21 residents, or, for operation of, and equipment for, senior  
22 citizen centers providing social services to elderly  
23 residents.

24 20. To appropriate funds from the county treasury and  
25 loan such funds to a county water commission created under  
26 the "Water Commission Act", approved June 30, 1984, as now

1 or hereafter amended, in such amounts and upon such terms  
2 as the county may determine or the county and the  
3 commission may agree. The county shall not under any  
4 circumstances be obligated to make such loans. The county  
5 shall not be required to charge interest on any such loans.

6 21. To appropriate and expend funds from the county  
7 treasury for economic development purposes, including the  
8 making of grants to any other governmental entity or  
9 commercial enterprise deemed necessary or desirable for  
10 the promotion of economic development in the county.

11 22. To lease space on a telecommunications tower to a  
12 public or private entity.

13 23. In counties having a population of 100,000 or less  
14 and a public building commission organized by the county  
15 seat of the county, to cause to be erected or otherwise  
16 provided, and to maintain or cause to be maintained,  
17 suitable facilities to house students pursuing a  
18 post-secondary education at an academic institution  
19 located within the county. The county may provide for the  
20 management of the facilities.

21 24. Dissolve townships under the Township  
22 Modernization and Consolidation Act.

23 All contracts for the purchase of coal under this Section  
24 shall be subject to the provisions of "An Act concerning the  
25 use of Illinois mined coal in certain plants and institutions",  
26 filed July 13, 1937, as amended.

1 (Source: P.A. 95-197, eff. 8-16-07; 95-813, eff. 1-1-09;  
2 96-622, eff. 8-24-09.)

3 (55 ILCS 5/5-32028) (from Ch. 34, par. 5-32028)

4 Sec. 5-32028. Certification of assessment roll; collection  
5 of assessments. Within 30 days after the filing of the report  
6 of the amount and date of the first voucher issued on account  
7 of construction work done, the clerk of the court in which such  
8 judgment is rendered shall certify the assessment roll and  
9 judgment to the ~~township collector or~~ county collector  
10 authorized to collect the special assessment, or if there has  
11 been an appeal taken on any part of the judgment, he shall  
12 certify such part of the judgment as is not included in that  
13 appeal. This certification shall be filed by the officer  
14 receiving it in his office. With the assessment roll and  
15 judgment the clerk of the designated court shall also issue a  
16 warrant for the collection of the assessment. The court has the  
17 power to recall such warrants as to all or any of the property  
18 affected at any time before payment or sale, in case the  
19 proceedings are abandoned by the petitioner or the judgment is  
20 vacated or modified in a material respect as hereinbefore  
21 provided, but not otherwise. In case the assessment roll has  
22 been abated and the judgment reduced, the clerk of the  
23 designated court, within 30 days thereafter, shall certify the  
24 order of reduction or the roll as so reduced or recast under  
25 the direction of the court to the county collector authorized

1 to collect the special assessment, and shall issue a warrant  
2 for the collection of the assessment as so reduced or recast.

3 (Source: P.A. 86-962.)

4 Section 125. The Township Code is amended by changing the  
5 heading of Article 27 and Sections 27-5, 27-10, 27-15, and  
6 235-20 and by adding Section 78-10 by changing Sections 25-15  
7 and 25-25 as follows:

8 (60 ILCS 1/25-15)

9 Sec. 25-15. Selection of county governing body; election  
10 ~~Election of county commissioners~~. When township organization  
11 ceases in any county as provided in this Article or the  
12 Township Modernization and Consolidation Act, the county board  
13 may restructure into a commission form of government by  
14 ordinance or resolution. If the county board enacts an  
15 ordinance or resolution to assume a commission form of  
16 government, an election shall be held in the county at the next  
17 general election in an even-numbered year for 3 county  
18 commissioners who shall hold office for 2, 4, and 6 years,  
19 respectively, and until their successors are elected and  
20 qualified. Terms shall be determined by lot. At each succeeding  
21 general election after the first, one commissioner shall be  
22 elected.

23 (Source: P.A. 82-783; 88-62.)

1 (60 ILCS 1/25-25)

2 Sec. 25-25. Disposal of township records and property. When  
3 township organization is discontinued in any county, the  
4 records of the several townships shall be deposited in the  
5 county clerk's office. The county board or commissioners of the  
6 county may close up all unfinished business of the several  
7 townships and sell and dispose of any of the property belonging  
8 to a township for the benefit of the inhabitants of the  
9 township, as fully as might have been done by the townships  
10 themselves. The county board or commissioners may pay all the  
11 indebtedness of any township existing at the time of the  
12 discontinuance of township organization and cause the amount of  
13 the indebtedness, or so much as may be necessary, to be levied  
14 upon the property of the township.

15 (Source: P.A. 82-783; 88-62.)

16 (60 ILCS 1/Art. 27 heading)

17 ARTICLE 27. DISCONTINUANCE OF TOWNSHIP  
18 ORGANIZATION WITHIN COTERMINOUS MUNICIPALITY:

19 ~~COUNTY POPULATION OF 3 MILLION OR MORE~~

20 (Source: P.A. 98-127, eff. 8-2-13; 99-474, eff. 8-27-15.)

21 (60 ILCS 1/27-5)

22 Sec. 27-5. Applicability. This Article shall apply only to  
23 a township that: ~~(1)~~ is within a coterminous, or substantially  
24 coterminous, municipality ~~in which the city council exercises~~

1 ~~the powers and duties of the township board, or in which one or~~  
2 ~~more municipal officials serve as an officer or trustee of the~~  
3 ~~township; (2) is located within a county with a population of 3~~  
4 ~~million or more; and (3) contains a territory of 7 square miles~~  
5 ~~or more.~~

6 (Source: P.A. 98-127, eff. 8-2-13.)

7 (60 ILCS 1/27-10)

8 Sec. 27-10. Petition and referendum to discontinue and  
9 abolish a township organization within a coterminous  
10 municipality. Upon adoption of an ordinance by the governing  
11 board ~~city council~~ of a township described under Section 27-5  
12 of this Article, or upon petition of at least 10% of the  
13 registered voters of that township, the governing board ~~city~~  
14 ~~council~~ shall certify and cause to be submitted to the voters  
15 of the township, at the next election or consolidated election,  
16 a proposition to discontinue and abolish the township  
17 organization and to transfer all the rights, powers, duties,  
18 assets, property, liabilities, obligations, and  
19 responsibilities of the township organization to the  
20 coterminous municipality.

21 A signature on a petition shall not be valid or counted in  
22 considering the petition unless the form requirements are  
23 complied with and the date of each signature is less than 90  
24 days before the last day for filing the petition. The statement  
25 of the person who circulates the petition must include an

1 attestation (i) indicating the dates on which that sheet was  
2 circulated, (ii) indicating the first and last date on which  
3 that sheet was circulated, or (iii) certifying that none of the  
4 signatures on the sheet was signed more than 90 days before the  
5 last day for filing the petition. The petition shall be treated  
6 and the proposition certified in the manner provided by the  
7 general election law. After the proposition has once been  
8 submitted to the electorate, the proposition shall not be  
9 resubmitted for 4 years.

10 The proposition shall be in substantially the following  
11 form:

12 Shall the township organization be continued in [Name  
13 of Township] Township?

14 The votes shall be recorded as "Yes" or "No".

15 (Source: P.A. 98-127, eff. 8-2-13; 98-756, eff. 7-16-14.)

16 (60 ILCS 1/27-15)

17 Sec. 27-15. Cessation of township organization. If a  
18 majority of the votes of the township cast are in favor of the  
19 proposition to discontinue and abolish the township  
20 organization, then the township organization in that township  
21 shall cease.

22 On the effective date of the discontinuance and abolishment  
23 of the township organization, all the rights, powers, duties,  
24 assets, property, liabilities, obligations, and  
25 responsibilities of the township shall by operation of law vest

1 in and be assumed by the coterminous municipality except for  
2 the rights, powers, duties, obligations, and responsibilities  
3 of the township assessor which shall be transferred to the  
4 supervisor of assessments or county assessor, as applicable.

5 (Source: P.A. 98-127, eff. 8-2-13.)

6 (60 ILCS 1/78-10 new)

7 Sec. 78-10. Elimination of township collector. On the  
8 effective date of this amendatory Act of the 99th General  
9 Assembly:

10 (a) All township collector offices cease and the county  
11 collector shall assume the obligations and duties of every  
12 township collector in the county.

13 (b) Any reference in this Code, other statute, or  
14 administrative rule to "township collector" shall mean "county  
15 collector".

16 (c) No township collector shall be compensated for any  
17 duties performed after the effective date of this amendatory  
18 Act of the 99th General Assembly or have legal recourse upon  
19 the elimination of the township collector office.

20 (60 ILCS 1/235-20)

21 Sec. 235-20. General assistance tax.

22 (a) The township board may raise money by taxation deemed  
23 necessary to be expended to provide general assistance in the  
24 township to persons needing that assistance as provided in the

1 Illinois Public Aid Code, including persons eligible for  
2 assistance under the Military Veterans Assistance Act, where  
3 that duty is provided by law. The tax for each fiscal year  
4 shall not be more than 0.10% of value, or more than an amount  
5 approved at a referendum held under this Section, as equalized  
6 or assessed by the Department of Revenue, and shall in no case  
7 exceed the amount needed in the township for general  
8 assistance. The board may decrease the maximum tax rate by  
9 ordinance.

10 (b) Except as otherwise provided in this subsection, if the  
11 board desires to increase the maximum tax rate, it shall order  
12 a referendum on that proposition to be held at an election in  
13 accordance with the general election law. The board shall  
14 certify the proposition to the proper election officials, who  
15 shall submit the proposition to the voters at an election in  
16 accordance with the general election law. If a majority of the  
17 votes cast on the proposition is in favor of the proposition,  
18 the board may annually levy the tax at a rate not exceeding the  
19 higher rate approved by the voters at the election. If,  
20 however, the board has decreased the maximum tax rate under  
21 subsection (a), then it may, at any time after the decrease,  
22 increase the maximum tax rate, by ordinance, to a rate less  
23 than or equal to the maximum tax rate immediately prior to the  
24 board's ordinance to decrease the rate.

25 (c) Except as otherwise provided for in the Township  
26 Modernization and Consolidation Act, if ~~if~~ a city, village, or

1 incorporated town having a population of more than 500,000 is  
2 located within or partially within a township, then the entire  
3 amount of the tax levied by the township for the purpose of  
4 providing general assistance under this Section on property  
5 lying within that city, village, or incorporated town, less the  
6 amount allowed for collecting the tax, shall be paid over by  
7 the treasurer of the township to the treasurer of the city,  
8 village, or incorporated town to be appropriated and used by  
9 the city, village, or incorporated town for the relief and  
10 support of persons needing general assistance residing in that  
11 portion of the city, village, or incorporated town located  
12 within the township in accordance with the Illinois Public Aid  
13 Code.

14 (d) Any taxes levied for general assistance before or after  
15 this Section takes effect may also be used for the payment of  
16 warrants issued against and in anticipation of those taxes and  
17 accrued interest on those warrants and may also be used to pay  
18 the cost of administering that assistance.

19 (e) In any township with a population of less than 500,000  
20 that receives no State funding for the general assistance  
21 program and that has not issued anticipation warrants or  
22 otherwise borrowed monies for the administration of the general  
23 assistance program during the township's previous 3 fiscal  
24 years of operation, a one time transfer of monies from the  
25 township's general assistance fund may be made to the general  
26 township fund pursuant to action by the township board. This

1 transfer may occur only to the extent that the amount of monies  
2 remaining in the general assistance fund after the transfer is  
3 equal to the greater of (i) the amount of the township's  
4 expenditures in the previous fiscal year for general assistance  
5 or (ii) an amount equal to either 0.10% of the last known total  
6 equalized value of all taxable property in the township, or  
7 100% of the highest amount levied for general assistance  
8 purposes in any of the three previous fiscal years. The  
9 transfer shall be completed no later than one year after the  
10 effective date of this amendatory Act of the 92nd General  
11 Assembly. No township that has certified a new levy or an  
12 increase in the levy under this Section during calendar year  
13 2002 may transfer monies under this subsection. No action on  
14 the transfer of monies under this subsection shall be taken by  
15 the township board except at a township board meeting. No  
16 monies transferred under this subsection shall be considered in  
17 determining whether the township qualifies for State funds to  
18 supplement local funds for public aid purposes under Section  
19 12-21.13 of the Illinois Public Aid Code.

20 (e-5) The township board of Gray Township in White County  
21 may approve by resolution or ordinance transfers of monies from  
22 the township's general assistance fund to the general township  
23 fund no later than one year after the effective date of this  
24 amendatory Act of the 99th General Assembly if:

- 25 (1) the township receives no State funding for the  
26 general assistance program;

1           (2) the township has not issued anticipation warrants  
2           or otherwise borrowed monies for the administration of the  
3           general assistance program during the township's previous  
4           3 fiscal years of operation;

5           (3) the amount of monies remaining in the general  
6           assistance fund after the transfer is equal to the greater  
7           of (i) the amount of the township's expenditures in the  
8           previous fiscal year for general assistance or (ii) an  
9           amount equal to either 0.10% of the last known total  
10          equalized value of all taxable property in the township, or  
11          100% of the highest amount levied for general assistance  
12          purposes in any of the three previous fiscal years; and

13          (4) the township that has not certified a new levy or  
14          an increase in the levy under this Section during calendar  
15          year 2015.

16          No monies transferred under this subsection shall be considered  
17          in determining whether the township qualifies for State funds  
18          to supplement local funds for public aid purposes under Section  
19          12-21.13 of the Illinois Public Aid Code.

20          (Source: P.A. 99-248, eff. 1-1-16.)

21                 (60 ILCS 1/78-5 rep.)

22                 Section 130. The Township Code is amended by repealing  
23                 Section 78-5.

## 1 INDEX

## 2 Statutes amended in order of appearance

## 3 New Act

4 10 ILCS 5/28-7 from Ch. 46, par. 28-7

5 30 ILCS 15/3a from Ch. 102, par. 7a

6 35 ILCS 200/1-151 new

7 35 ILCS 200/3-70

8 35 ILCS 516/320

9 55 ILCS 5/Div. 2-4 heading

10 55 ILCS 5/2-4006

11 55 ILCS 5/5-1005 from Ch. 34, par. 5-1005

12 55 ILCS 5/5-32028 from Ch. 34, par. 5-32028

13 60 ILCS 1/25-15

14 60 ILCS 1/25-25

15 60 ILCS 1/Art. 27 heading

16 60 ILCS 1/27-5

17 60 ILCS 1/27-10

18 60 ILCS 1/27-15

19 60 ILCS 1/78-10 new

20 60 ILCS 1/235-20

21 60 ILCS 1/78-5 rep.